

**EXPRESS MAIL RECEIPT NO. ED817773108US
DEPOSITED ON DECEMBER 23, 2005**



**PATENT
DKT. HO-P02393US0**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Timothy E. Grib et al.

Serial No.: 09/964,232

Filed: September 26, 2001

Title: Method And Apparatus For
Performance Measurement of
Different Network Routes Between
Devices

Attorney Docket No.: HO-P02393US0

Group Art Unit: 2143

Examiner: Kyung H. Shin

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:
 - Statement under 37 CFR 1.97(e), or
 - a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:
 - Statement under 37 CFR 1.97(e), and
 - a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicant(s) submit herewith Form PTO/SB/08 Information Disclosure Citation which includes a list of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The following references were submitted to, and/or cited by, the Office in U.S. Patent Application Serial No. 09/964,232, filed September 26, 2001 and, therefore, are not required to be provided:

U.S. Patents

5,627,766
5,886,643
5,937,165
6,003,090
6,064,654
6,084,858
6,269,401
6,275,470
6,360,268
6,601,020
6,697,696
6,763,380
6,766,164
2003/0036865

Foreign Patents

GB 2 355 319 A

Other Prior Art

Inter Networking with TCP/IP, entitled Internet Protocol: Error and Control Messages (ICMP)
End-To-End IP Service Level Verification “Do You Measure Up?”
Time, Clocks, and the Ordering of Events in a Distributed System
Improved Algorithms for Synchronizing Computer Network Clocks
Adaptive Hybrid Clock Discipline
Algorithm for Network Timer Protocol
Internet Timekeeping Around the Globe
The Network Computer as Precision Timekeeper
Precision Synchronization of Computer Network Clocks
Algorithms for Synchronizing Network Clocks
Experiments in Network Clock Synchronization
Measured Performance of the Network Time Protocol in the Internet System
Internet Time Synchronization: the Network Time Protocol
Network Time Protocol (Version 3)
Specification, Implementation and Analysis
Simple Network Time Protocol (SNTP)
Version 4 for IPv4, Ipv6 and OSI

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: ED817773108US

Date of Deposit: December 23, 2005

Typed Name: Tiffiany Koch

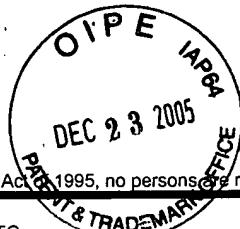
Signature: Tiffiany Koch


Daniel P. Dooley, Reg. No. 46,369
R. Alan Weeks, Reg. No.: 36,050

Date: December 23, 2005

Telephone No.: (918) 599-0621

Facsimile No.: (918) 583-9659



PTO/SB/08a (07-05)

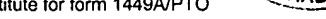
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	09/964,232
		Filing Date	September 26, 2001
		First Named Inventor	Timothy E. Grib
		Art Unit	2143
		Examiner Name	Kyung H. Shin
Sheet	1	of	2
			Attorney Docket Number
			HO-P02393US0

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-------------------------------	--	----------------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

2

Complete if Known	
Application Number	09/964,232
Filing Date	September 26, 2001
First Named Inventor	Timothy E. Grib
Art Unit	2143
Examiner Name	Kyung H. Shin

Attorney Docket Number HO-P02393US0

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Douglas Corner, Inter Networking with TCP/IP, 4 th Ed., 2000, Ch. 9 entitled "Internet Protocol: Error and Control Messages (ICMP), Pages 129-147, Pages 403-411 and Library of Congress Cataloging-in-Publication Data	
	CB	Brochure – End-To-End IP Service Level Verification by Brix Networks "Do You Measure Up?" (2000)	
	CC	Leslie Lamport, "Time, Clocks, and the Ordering of Events in a Distributed System," Communications of the ACM, July 1978, Vol. 21, No. 7, pp. 558-565	
	CD	David L. Mills, "Improved Algorithms for Synchronizing Computer Network Clocks," Reprint from IEEE Trans. Networks, June 1995, 11 pages	
	CE	David L. Mills, "Adaptive Hybrid Clock Discipline Algorithm for Network Timer Protocol," Reprint from IEEE/ACM Trans. Networking, Oct. 1998, Vol. 6 No. 5, pp. 505-14	
	CF	David L. Mills, et al., "Internet Timekeeping Around the Globe," Reprint from Proc. Precision Time and Interval (PTTI) Applications and Planning Meeting, Long Beach, CA, Dec. 1997, pp. 365-371	
	CG	David L. Mills, "The Network Computer as Precision Timekeeper," Reprint from Proc. Precision Time and Interval (PTTI) Applications and Planning Meeting, Reston, VA, Dec. 1996, pp. 96-108	
	CH	David L. Mills, "Precision Synchronization of Computer Network Clocks," Reprint from ACM Computer Communications Review, April 1994, 16 pages	
	CI	David L. Mills, "Algorithms for Synchronizing Network Clocks," RFC 956, Sept. 1985, 26 pages	
	CJ	David L. Mills, "Experiments in Network Clock Synchronization," RFC 957, Sept. 1985, 27 pages	
	CK	David L. Mills, "Measured Performance of the Network Time Protocol in the Internet System," RFC 1128 Oct. 1989, 20 pages	
	CL	David L. Mills, "Internet Time Synchronization: the Network Time Protocol," RFC 1129, Oct. 1989, 29 pages	
	CM	David L. Mills, "Network Time Protocol (Version 3) Specification, Implementation and Analysis", RFC 1305, March 1992, 120 pages	
	CN	David L. Mills, "Simple Network Time Protocol (SNTP) Version 4 for IPv4, Ipv6 and OSI," RFC 2030, Oct. 1996, 18 pages	

Examiner Signature	Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.